

Remarks

Claims 1-20 are pending. Claims 1-20 are rejected. Claims 4 and 8 are objected to. Claims 1, 5, 11 and 15 are amended herein. Claims 21 and 22 are added by this amendment. Applicant respectfully traverses the rejection and requests allowance of claims 1-22.

Claims 4 and 8 are objected to under 37 CFR 1.75(c) as being of improper dependent form. Independent claims 1 and 5 disclose a vacuum port adapted to receive a vacuum hose. Dependent claims 4 and 8 disclose a vacuum port further adapted to receive a vacuum cleaner hose. A vacuum cleaner hose is substantially different than a vacuum hose. Therefore, claims 4 and 8 are in proper dependent form because they further limit the subject matter claimed in claims 1 and 5.

Claims 1, 3-5, 7-11, 13-15 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Senné (US-2,960,714).

Independent claims 1, 5, 11 and 15 require a chassis, handle and a vacuum port, independent of said handle, formed in the chassis. Figure 1 clearly shows a handle 103 and a vacuum port 106 that is independent of the said handle 103. Advantageously, the claims may be implemented in some embodiments to allow the floor sweeper to be operated manually without a vacuum hose. In addition, the floor sweeper may be used as a vacuum cleaner when a vacuum hose is plugged into the vacuum port (see page 6, lines 23-27).

Senné does not disclose a vacuum port that is independent from the handle. In contrast, Senné shows a rigid pipe in the receiving socket located in the chassis (see fig. 1, #39). The vacuum pipe of Senné is used as a handle (see fig. 1 #39 and col. 3, lines 45-51). This difference is significant because the user of the carpet sweeper disclosed in Senné could not move or otherwise operate Senné without having a hose attached (see col. 3, lines 71-73 and col. 4, lines 11-13).

Independent claims 1, 5, 11 and 15 therefore include features that are not taught by Senné. Dependent claims 2-4, 6-10, 12-14 and 16-21 are allowable for the same reasons as claims 1, 5, 11 and 15.

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Lilly (US-2,642,617).

Independent claim 1 requires a chassis, handle and a vacuum port, independent of said handle, formed in the chassis. Figure 1 clearly shows a handle 103 and a vacuum port 106 that is independent of the said handle 103.

Lilly does not disclose a vacuum port that is independent from the handle. In contrast, Lilly discloses a handle which is connected by a tube to a vacuum source. The handle includes a vacuum conduit that connects to the tube and suction is maintained through the handle (see fig. 1 #57, 58 and col. 4, lines 48-49). Lilly does not disclose the capability of operation absent a vacuum source. Lilly does not disclose any sort of a collection bin. Therefore, absent a vacuum source, the agitator has no place to propel the debris it has picked up.

Independent claim 1 therefore includes features that are not taught by Lilly. Dependent claim 4 is allowable for the same reasons as claim 1.

Claims 2, 6, 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Senné as applied to claims 1 and 5 respectively, and in further view of Sovis et al. (US-5,247,720).

Dependent claims 2, 6, 12 and 16 disclose a removable cover that blocks the vacuum port when placed in the closed position. Advantageously, the claims may be implemented in some embodiments to prevent debris from being propelled out of the floor sweeper when the removable cover is in the closed position.

Sovis does not disclose a removable cover that blocks a vacuum port. In contrast, Sovis et al. discloses a vacuum cleaner equipped with a valve system 134 and 140 to transfer suction from a first air passageway to a second air passageway (see fig. 1, fig. 2, col. 5, line 68 and col. 6, lines 1-4).


Claims 2, 6, 12 and 16 stand rejected under 35 U.S.C. § 103(a) as being obvious over Senné in view of Sovis et al. Claims 2, 6, 12 and 16 depend from independent claims 1, 5, 11 and 15 respectively and therefore are patentable for the reasons previously discussed.

Conclusion

In light of the foregoing amendments and remarks, the applicant respectfully requests allowance of claims 1-22.

Please feel free to call me to discuss the patentability of the pending claims.

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